

BRIAN SANDOVAL  
Governor

## STATE OF NEVADA



### MEMBERS

Kevin E. Burke, Chairman  
Thomas "Jim" Alexander  
Margaret Cavin  
Donald L. Drake  
Nathaniel W. Hodgson, III  
Stephen P. Quinn  
Guy M. Wells

## STATE CONTRACTORS BOARD

### MINUTES OF THE MEETING December 14, 2011

### REPLY TO:

**Southern Nevada**  
2310 Corporate Circle  
Suite 200  
Henderson, Nevada 89074  
(702) 486-1100  
Fax (702) 486-1190  
Investigations (702) 486-1110

[www.nscb.state.nv.us](http://www.nscb.state.nv.us)

**Northern Nevada**  
9670 Gateway Drive, Suite 100  
Reno, Nevada 89521  
(775) 688-1141  
Fax (775) 688-1271  
Investigations (775) 688-1150

### CALL TO ORDER:

Hearing Officer Alexander called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, December 14, 2011, State Contractors Board, Henderson and Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

### BOARD MEMBERS PRESENT:

Mr. Thomas "Jim" Alexander, Hearing Officer  
Mr. Donald Drake, Board Member

### STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer  
Mr. George Lyford, Director of Investigations  
Mr. Daniel Hammack, Chief of Enforcement

### LEGAL COUNSEL PRESENT:

Mr. Jonathan Andrews, Esq., Legal Counsel  
Mr. David Brown, Esq., Legal Counsel

Ms. Grein stated the agenda was posted in compliance with the open meeting law on December 8, 2011, at Las Vegas City Hall, Sawyer State Building and Clark County Library. The agenda was also posted in both offices of the Board, Henderson and Reno and on the Board Internet Website.

### ADJUDICATING BOARD MEMBER: THOMAS "JIM" ALEXANDER

#### 1. DISCIPLINARY HEARING:

#### RENOVATIONS OF LAS VEGAS, INC., License No. 72107

Licensee was present.

Arthur White, Managing Member with Aqua Plumbing was present.

Three witnesses testified for the Board.

The following Agency Exhibits were entered:

Exhibit 1 - Board's Hearing File.

The following Respondent's exhibits were entered.

Exhibit A – Respondent's August 21, 2011 letter to the Board.

Exhibit B – Respondent's corporate status with the Secretary of State.

Exhibit C – A letter from Gino Mauriello, CPA, dated December 13, 2011.

Hearing Officer Alexander found Respondent guilty of one (1) violation of NRS 624.3011(1)(b)(1) willful disregard of the building laws of the State; one (1) violation of NRS 624.3015(1) acting beyond scope of license; one (1) violation of NRS 624.3013(2) misrepresentation of a material fact, in connection with any information or evidence furnished the Board in connection with official matters; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$500.00 for the First Cause of Action; a fine of \$250.00 for each of the Second and Fourth Causes of Action for total fines of \$1,000.00. The Third Cause of Action was found guilty, but no fines were assessed. Investigation costs were assessed in the amount of \$1,339.00. The Respondent shall provide a current financial statement with bank verification for all cash accounts that supports the license limit within forty-five (45) days of today's hearing and pay fines and costs. If the financial statement does not support the license limit, the license limit shall be lowered to the amount that the financial statement supports. If fines and costs are not paid and a financial statement is not provided within forty-five (45) days the license shall be suspended.

**2. DISCIPLINARY HEARING:**

**ATLAS FLOORING, INC.,** License Nos. 50480, 52490, 52491, 53669

Licensee was present with counsel, Keith Gregory, Esq.

Four witnesses testified for the Board.

The following Agency Exhibits were entered:

Exhibit 1 – Board's Hearing File.

The following Respondent's Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated November 16, 2011.

Hearing Officer Alexander found Respondent guilty of one (1) violation of NRS 624.3015(3) entering into a contract with a unlicensed contractor or bidding to contract in excess of his limit or beyond his scope; one (1) violation of NRS 624.3014(2)(a) aiding or abetting an unlicensed person. Respondent was assessed a fine of \$1,000.00 for each of the Third and Fourth Causes of Action for total fines of \$2,000.00 and investigative costs of \$2,100.00. The Fifth Cause of Action was dismissed. The First and Second Causes of Action shall be continued for forty-five (45) days to allow the Respondent the opportunity to effectuate the repairs at the Forcum residence. Repairs are to commence January 2, 2012. The Respondent shall reimburse the Forcums \$2,400.00. The Forcums shall be allowed to select new tile and if the amount is greater than what was already paid for the tile, the Forcums shall pay the difference. A Board investigator shall review and inspect the repairs at the end of the project to validate the repairs meet industry standards. If repairs do not meet industry standards, the First and Second Causes of Action shall be brought back before the Hearing Officer for discipline. If repairs meet industry standards, the First and Second Causes of Action shall be dismissed. If fines, costs and reimbursement to the Forcums are not paid and repairs are not completed within forty-five (45) days from January 2, 2012, all licenses shall be suspended.

**3. DISCIPLINARY HEARING: (Stipulated Revocation)**

Licensee was not present, but was represented by counsel, L. Christopher Rose, Esq.

Anne Murtagh, Credit Manager with Crescent Electric Supply was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board's Hearing file.

The following Respondent's Exhibits were entered:

Exhibit A – A letter from Respondent's attorney, L. Christopher Rose, Esq. to the Board dated November 8, 2011.

**Hearing Officer Alexander found Respondent guilty of one (1) violation of NRS 624.3013(3) failure to establish financial responsibility; one (1) violation of NRS 624.302(5) failure to respond to a written response from the Board; one (1) violation of NRS 624.3018(2) certain persons are prohibited from serving as officer, director, associate or partner of licensee. Respondent was assessed a fine of \$500.00 for the First Cause of Action; a fine of \$250.00 for the Second Cause of Action for total fines of \$750.00 and investigative costs of \$1,720.00. License numbers 57656, 57657 and 64531, Spirit Underground, LLC, Peter Arthur Price, Member and Qualified Individual were revoked. License numbers 57656, 57657 and 64531, Spirit Underground, LLC were revoked. Respondent is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus fines and investigative costs prior to consideration of future licensure.**

**4. DISCIPLINARY HEARING – DEFAULT ORDERS:**

**a. WON SHIK YUN, OWNER, dba GRAND CITY DEVELOPMENT COMPANY**, License No. 43761

**WON SHIK YUN, OWNER, dba GRAND CITY PLUMBING AND HEATING COMPANY**,  
License No. 59122

**WON SHIK YUN, OWNER, dba SONIC MECHANICAL SERVICES**, License No. 70099

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

**Hearing Officer Alexander found Respondent Won Shik Yun, Owner, dba Grand City Development Company, license numbers 43761, 66844, Won Shik Yun, Owner, dba Grand City Plumbing and Heating Company, license number 59122 and Won Shik Yun, Owner, dba Sonic Mechanical Services, license number 70099 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. The Respondent was found guilty of one (1) violation of NRS 624.3013(3) failure to establish financial responsibility; one (1) violation of NRS 624.302(5) failure to comply with a written request by the Board; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.640(3) failure to notify Board of change of address or personnel; one (1) violation of NRS 624.3018(2) certain persons are prohibited from serving as officer, director, associate or partner of licensee. Respondent was assessed a fine of \$500.00 for the First Cause of Action; a fine of \$250.00 for each of the Second and Third Causes of Action for total fines of \$1,000.00 and investigative costs of \$1,343.00. License number 43761, Won Shik Yun, Owner, dba Grand City Development Company,**

license numbers 43761, 66844, Won Shik Yun, Owner, dba Grand City Plumbing and Heating Company, license number 59122 and Won Shik Yun, Owner, dba Sonic Mechanical Services, license number 70099 were revoked. Respondent is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus fines and investigative costs prior to consideration of future licensure.

**b. HANDYMAN AUSSIE ROB, LLC, dba AUSSIE ROBS MARBLE AND GRANITE,** License No. 69951

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Hearing Officer Alexander found Respondent Handyman Aussie Rob, LLC, dba Aussie Robs Marble and Granite, license number 69951 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. The Respondent was found guilty of one (1) violation of NRS 624.302(2) failure to comply with a written citation from the Board. Respondent was assessed a fine of \$500.00 for the First Cause of Action and investigative costs of \$1,304.00. License number 69951, Handyman Aussie Rob, LLC, dba Aussie Robs Marble and Granite was revoked. Respondent is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus fines and investigative costs prior to consideration of future licensure.

**c. THE NEW NORTH CONCRETE, LLC,** License No. 75799

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Hearing Officer Alexander found Respondent The New North Concrete, LLC, license number 75799 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. The Respondent was found guilty of one (1) violation of NRS 624.3017 substandard workmanship; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.700(3)(a) failure to comply with Board's Notice to Correct; one (1) violation of NRS 624.302(5) failure to respond to a written request from the Board; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$1,000.00 for the First Cause of Action; a fine of \$500.00 for each of the Second and Fourth Causes of Action; a fine of \$250.00 for the Third Cause of Action for total fines of \$2,250.00 and investigative costs of \$1,457.00. License number 75799, The New North Concrete, LLC was revoked. Respondent is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus fines and investigative costs prior to consideration of future licensure.

**d. WESTERN PRIDE CONSTRUCTION, LLC,** License No. 51108

**WESTERN PRIDE CONSTRUCTION, LLC,** License No. 51639

**WESTERN PRIDE CONSTRUCTION, LLC,** License Nos. 69017, 74174

**WESTERN PRIDE CONSTRUCTION, LLC, dba WESTERN PRIDE ELECTRIC,** License No.59846

**WESTERN PRIDE CONSTRUCTION, LLC, dba WESTERN PRIDE PLUMBING,** License No. 69230

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Hearing Officer Alexander found Respondent Western Pride Construction, LLC, license numbers 51108, 51639, 69017 and 74174 and Western Pride Construction, LLC, dba Western Pride Electric, license number 59846 and Western Pride Construction, LLC, dba Western Pride Plumbing, license number 69230 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. The Respondent was found guilty of one (1) violation of NRS 624.3013(3) failure to establish financial responsibility; one (1) violation of NRS 624.302(5) failure to respond to a written request from the Board; five (5) violations of NRS 624.3013(4) failure to keep bond in force; two (2) violations NRS 624.3018(2) certain persons are prohibited from serving as officer, director, associate or partner of licensee; one (1) violation of NRS 624.3017(1) substandard workmanship; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.700(3)(a) failure to comply with Board's Notice to Correct; one (1) violation of NRS 624.301(5) failure to comply with the terms of the construction contract, thereby causing material injury to another. Respondent was assessed a fine of \$500.00 for each of the First, Eleventh and Twelfth Causes of Action; a fine of \$250.00 for each of the Second, Third, Fourth, Fifth, Sixth and Seventh Causes of Action; a fine of \$1,000.00 for the Tenth Cause of Action for total fines of \$4,000.00 and investigative costs of \$4,341.00. License numbers 51108, 51639, 69017, 74174, Western Pride Construction, LLC, license number 59846, Western Pride Construction, LLC, dba Western Pride Electric, license number 69230, Western Pride Construction, LLC, dba Western Pride Plumbing were revoked. Respondent is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus fines and investigative costs prior to consideration of future licensure.

**ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Alexander at 9:47 a.m.

Respectfully Submitted,

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Janet Brinkley, Recording Secretary

APPROVED:

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Margi A. Grein, Executive Officer

Thomas "Jim" Alexander, Hearing Officer